

REMARKS

Claims 1-6 are pending in the present application; all claims have been rejected in the present Office Action. Claims 1-2 and 5-6 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0050977 (Gerszber) in view of U.S. Patent No. 5,870,683 (Wells) and Claims 3-4 were rejected under 35 U.S.C. §103(a) as being unpatentable over Gerszber.

Claims 1, 3 and 5 have been amended.

Gerszber describes a video enabled answering machine including customized video announcement messages, caller ID based video announcement messages, and time based video announcement messages to *greet the caller*, not to alert the user of the system – the *called party* – of an occasion date. Gerszber does not actively alert the user of its system of any date, let alone a specific occasion date. It is merely an answering machine that allows different greetings for the *caller*, depending on the time and date.

In response to the arguments made in the previous amendment, the Examiner states that Gerszber does teach “determining whether today is a registered occasion date” and “checking whether today is a registered occasion date” as recited in claims 1 and 5, respectively, because Gerszber allows a user to select a greeting based on the time and date.

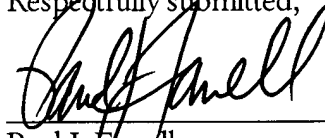
The Examiner, however, misses the difference that Gerszber provides an answering machine *greeting* to the *calling party*. The present invention provides a specific, predetermined image or *ring tone* for the *called party* to remind the *called party* of a specific occasion.

As amended, claim 1 recites a method of alerting the user of the phone – the *called party* – of an occasion date. A call is accepted on a phone, the call intended for a user. It is determined whether today is a registered occasion date. A first image is displayed on the phone for the user. If today is a registered occasion date, the first image is changed to remind the user, whom the call was intended for – the *called party* – of the occasion date. Claim 3 works the same way with a ring tone, and claim 5, with both an image and a ring tone.

Accordingly, Claims 1, 3 and 5 are believed allowable over the cited references. Claims 2, 4 and 6 are also believed to be allowable based on their dependency from allowable base claims 1, 3, and 5, respectively.

Should the Examiner feel that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant(s)

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516